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TC 1700

Case PA-119INFINITY

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



In re Application of R. Lee Roberts et al. :

Serial No.: 08/935,365

: Examiner: M. OCAMPO

Filed: September 22, 1997

: Group Art Unit: 1723

For: LOW PROFILE EXTRUDED  
UNDERDRAIN

:  
:

**AMENDMENT AFTER BOARD DECISION**

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Dear Sir:

In view of the Opinion of the Board of Patent Appeals and Interferences dated January 27, 2003, and the Opinion of the Board of Patent Appeals and Interferences dated April 28, 2003, Appellants amend the above-identified patent application as follows:

**IN THE CLAIMS**

Please cancel Claims 1 to 5.

**REMARKS**

The Board of Patent Appeals and Interferences sustained the Examiner's rejection of Claims 1 to 5 but reversed the rejections of Claims 6, 7, 18, 19 and 28. The Board also "merely proposed" that the Examiner consider whether the combined teachings of Roberts, Berkebile and Brown '388 render obvious Claims 6, 7 and 28. (See Opinion dated April 28, 2003, pp. 2 and 3)

Appellants respectfully submit that the cancellation of Claims 1 to 5 place the subject